

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

GREGORY MALECKI,

Defendant.

Criminal Action No.

5: 08-CR-754 DNH

INDICTMENT

Vio: 18 U.S.C. §2422(b)

18 U.S.C. §2423(b)

THE GRAND JURY CHARGES:
COUNT ONE

In or about November through December 2007, in the Northern District of New York and elsewhere,

GREGORY MALECKI,

the defendant herein, using a facility and means of interstate or foreign commerce, did knowingly persuade, induce, entice and coerce, and did attempt to knowingly persuade, induce, entice and coerce, an individual who had not attained the age of 18 years, to wit: a 15 year old female child whose identity is known to the Grand Jury, to engage in any sexual activity for which any person could be charged with an offense, to wit: offenses under Article 130 of the New York State Penal Law.

In violation of Title 18 United States Code Section 2422(b).

THE GRAND JURY FURTHER CHARGES:
COUNT TWO

On or about December 22, 2007, in the Northern District of New York, and elsewhere, the defendant

GREGORY MALECKI

did travel from Massachusetts to New York for the purpose of engaging in illicit sexual conduct with another person, to wit: a 15 year old female child whose identity is known to the Grand Jury.

In violation of Title 18, United States Code, Section 2423(b).

FORFEITURE ALLEGATION

The allegations in Counts 1 and 2 of this Indictment are hereby realleged and incorporated by reference herein for the purposes of alleging forfeiture, pursuant to Title 18, United States Code, Section 2428.

Pursuant to 18 U.S.C. § 2428, upon conviction of the charges in Counts 1 and 2 of this Indictment, defendant **GREGORY MALECKI** shall forfeit to the United States any interest in any property, real or personal, used or intended to be used to commit or to promote commission of the offenses alleged in this Indictment.

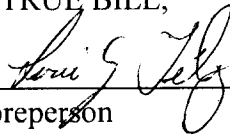
If the property described above as being subject to forfeiture, as a result of any act or omission of the defendant-

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party,
- (c) has been placed beyond the jurisdiction of the court;
- (d) has been substantially diminished in value; or

(e) has been commingled with other property which cannot be divided without difficulty, it is the intention of the United States, pursuant to Title 18, United States Code, Section 2428, (incorporating 21 U.S.C. 853(p)) to seek forfeiture of any other property of the defendant up to the value of the forfeitable property described above.

Dated: December 10, 2008

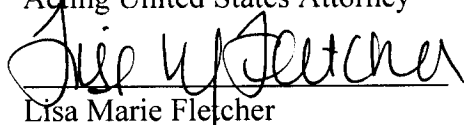
A TRUE BILL,



Foreperson

ANDREW T. BAXTER
Acting United States Attorney

By:



Lisa Marie Fletcher
Assistant U.S. Attorney
Bar Roll No. 510187